86-695

NO._____

Supreme Court, U.S.
FILED
OCT 1 1986
JOSEPH F. SPANIOL, JR.
CLERK

IN THE SUPREME COURT OF

THE UNITED STATES OF AMERICA

OCTOBER TERM 1986

UNITED STATES OF AMERICA,

Plaintiff/Appellee,

V.

LINNE' L. HANSEN, SUSAN G. HANSEN and LAURA J. HANSEN,

Defendants/Appellants.

ON APPEAL FROM THE DISTRICT COURT OF THE

WESTERN DISTRICT OF WISCONSIN

JURISDICTIONAL STATEMENT

CITIZENS PRO SE

LINNE' L. HANSEN

SUSAN G. HANSEN

LAURA J. HANSEN by her corporal father and Next Friend, ALAN A. HANSEN

W 2856 Tower
Medford, WI 54451

715/ 427-3240

HIPP

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1986

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

V.

LINNE' L. HANSEN, SUSAN G. HANSEN and LAURA J. HANSEN,

Defendant-Appellants.

MOTION TO FILE PLEADING

To The Honorable, The Chief Justice And Associate Justices Of The Supreme Court Of The United States:

COMES NOW the undersigned appellants and do hereby move this Honorable Court to grant them leave to file this appeal of right for adjudication by this most Supreme Court of the United States.

Dated this 27th day of September, 1986.

Re-submitted this 20th day of October, 1986.

CITIZENS PRO SE

Linné L. Hansen

LINNE' L. HANSEN

Susan G. Hansen

SUSAN G. HANSEN

Alan A. Hansen

LAURA J. HANSEN, by
her corporal father
and Next Friend,
ALAN A. HANSEN

W 2856 Tower Ave.
Medford, WI 54451
715/ 427-3240

QUESTIONS PRESENTED

I.

Does the use of a religious symbol of satanic worship, i.e. 666 number as originally used in the IBM Lucifer System, in general computer record-keeping violate the Establishment Clause of the First Amendment?

II.

Does 26 U.S.C. Section 6321 create a Bill of Attainder against a citizen, which then works a corruption of blood?

III.

Does 26 U.S.C. Section 6321 create a corruption of blood which constrains the Fifth Amendment Liberty and Property rights of innocent third-parties

related to a citizen who has run afoul of this statute?

IV.

Does the government's ignoring of the dictates of 26 U.S.C. Section 6020(b)(1) constitute a violation of due process of law?

V.

Does government's ignoring the statute of limitations violate rights under due process of law?

VI.

Can government punish a citizen for refusing to violate religious conscience?

VII.

Does the granting of default judgments against citizens, and ignoring time limits in favor of the government violate the right to due process of law?

PARTIES INVOLVED

The parties who are presently involved in this case are as follows:

Linne' L. Hansen

Susan G. Hansen

Laura J. Hansen

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CITATION OF CASES

SUPPORTING JURISDICTION

ALAMEDA V. SECRETARY OF H.E.W. (1980) 622 F. 2d 1044 . . . . . .

BUCKLEY V. VALEO (1976) 96 S. Ct. 612 . . . . . .

COMM. FOR PUBLIC EDUCATION & RELIGIOUS LIBERTY V. NYQUIST (1973) 93 S. Ct. 2955 . . . . . .

CURRY V. PYRAMID LIFE INSURANCE CO. (1959) 271 F. 2d 1, FR Serv. 2d 645, cert. den. 361 US 933, 4 L Ed 355, 80 S. Ct. 373 . . . . . .

FLAST V. COHEN (N.Y. 1968) 88 S. Ct. 1942, 392 US 83, 20 L Ed 2d 947 . .

HAUGHTON V. BYERS (1979 Dist. Cal. App.) 398 A 2d 18, 6 ALR 4 495 . . .

KASYDOR V. WALMAN (1972) 353 F. Supp. 744 . . . . . .

KOTOHIRA JINSHA V. MCGRATH (1950) 90 F. Supp. 892 . . . . . .

LYNCH V. DONNELLY (1984) 104 S. Ct. 1355 . . . . . .

MCGOWAN V. STATE OF MARYLAND (Md. 1961) 81 S.Ct. 1101, 366 US 420, 6 L Ed 2d 393 . . . . . .

RUTHERFORD V. U.S. (1983 CAS Tex.) 702 F. 2d 580 . . . . . .

TORCASSO V. WATKINS (1961) 367 US 488 . . . . . .

VALENTE V. LARSON (C.A. Minn. 1981) 673 F. 2d 562, affrmd. 102 S. Ct. 1673, reh. den. 102 S. Ct. 2916 . .

WALTZ V. TAX COMM. OF CITY OF N.Y. (1970) 90 S. Ct. 1409 . . . . . .

WEST VIRGINIA STATE BOARD OF ED. V. BARNETTE (W.Va. 1943) 63 S. Ct. 1178 319 US 624, 87 L Ed 1628, 147 ALR 674 . . . . . .

WICKARD V. FILBURN (1942) 317 US 111 87 L Ed 122, 63 S. Ct. 82 . . . . .

WISCONSIN V. YODER (1972) 92 S. Ct. 1526 . . . . . .

ZARACH V. CLAUSON (1952) 342 US 306 72 S. Ct. 679, 96 L Ed 954 . . . . .

REFERENCE OF REPORTS AND OPINIONS

1. Status Conference Order, Nov. 1984
2. Order of February 1984.
3. Order of 17 April 1984.
4. Default Judgement Order, 17 April 1984.
5. Magistrates Order of 18 July 1984.
6. Default Judgement Order, 7 November 1984.
7. Order, 13 November 1984.
8. Court's Findings, 3 December 1984.
9. Entry of Default Judgement against United States, 5 December 1984.
10. Order of 21 January 1985.
11. Notice of Foreclosure Sale.
12. Order Denying Motion for Stay of Execution and Injunction, 5 Nov. 1985.

13. Denial of Appeal, 3 July 1986.
14. Petition for Rehearing, 23 July 1986.
15. District Court Order denying the Motion for Relief from Judgement, 29 July 1986.
16. Notice of Appeal, 26 August 1986.
17. Freedom of Information Act answer from National Security Agency - IBM Lucifer System.
18. Freedom of Information Act answer from U.S. Justice Department - 666.
19. Freedom of Information Act answer from IRS - 666, IBM Lucifer System.
20. 1977 and 1980 IRS tax instructions, 666 usage.

STATEMENT OF JURISDICTION

The United States has violated Hansen rights as guaranteed under the First, Fifth and Seventh Amendments of the United States Constitution. This appeal is founded upon the jurisdiction of 28 U.S.C. Section 1252, pursuant to the District Court's ignoring our rights.

The date of the Order Denying Relief From Judgement was dated 29 July 1986. Notice of Appeal was filed 26 August 1986 in the U.S. District Court for the Western District of Wisconsin in Madison, Wisconsin.

The statutory provision which confers jurisdiction of this appeal is 28 U.S. C.

Section 1252:

" holding an act of Congress unconstitutional in any civil action, suit, or proceeding to which the United States or any of its agencies or any officer or employee thereof, as such officer or employee is a party. "

The cases believed to sustain jurisdiction are as follows:

ALAMEDA V. SECRETARY OF H.E.W. (1980) 622 F. 2d 1044

BUCKLEY V. VALEO (1976) 96 S. Ct. 612

COMM. FOR PUBLIC EDUCATION & RELIGIOUS LIBERTY V. NYQUIST (1973) 93 S. Ct. 2955

CURRY V. PYRAMID LIFE INSURANCE CO. (1959) 271 F. 2d 1, 2 FR Serv. 2d 645, cert. den. 361 US 933, 4 L Ed 355, 80 S. Ct. 373

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RUTHERFORD V. U.S. (1983 CAS Tex.) 702 F. 2d 580

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WALTZ V. TAX COMM. OF N.Y. (1970) 90 S. Ct. 1409

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WICKARD V. FILBURN (1942) 317 US 111, 87 L Ed 122, 63 S. Ct. 82

WISCONSIN V. YODER (1972) 92 S. Ct. 1526

ZARACH V. CLAUSON (1952) 343 US 306, 72 S. Ct. 679, 96 L Ed 954

CONSTITUTIONAL PROVISIONS

FIRST AMENDMENT ESTABLISHMENT CLAUSE:

" Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof;.."

FIFTH AMENDMENT, LIBERTY, PROPERTY, DUE PROCESS CLAUSE:

" nor be deprived of life, liberty or property, without due process of law;.."

SEVENTH AMENDMENT

" Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted."

ARTICLE I, SECTION 9, CLAUSE 3:

" No Bill of Attainder or ex post facto Law shall be passed."

STATUTORY PROVISIONS

26 U.S.C. SECTION 6321:

" If any person liable to pay any tax neglects or refuses to pay the same after demand, the amount (including any interest, additional amount, addition to tax, or assessable penalty, together with any costs that may accrue in addition thereto) shall be a lien in favor of the United States upon all property and rights to property, whether real or personal, belonging to such person."

26 U.S.C. SECTION 6020 (b)(1)(2)

" Authority of Secretary to execute return.-If any person fails to make any return (other than a declaration of estimated tax required under section 6015) required by any internal revenue law or regulation made thereunder at the time prescribed thereof, or makes, willfully or otherwise, a false or fraudulent return, the Secretary shall make such reyurn from his own knowledge and from such information as he can obtain through testimony ot otherwise.

Status of returns.-Any return so made and subscribed by the Secretary shall be prima facie good and sufficient for all legal purposes."

STATEMENT OF THE CASE

In 1973 Alan and Linne' Hansen inadvertantly discovered that the federal government was using a 666 computer prefix number in conjunction with a citizen's social security number for its routine computer recordkeeping.

In October of 1974 the brothers had learned that Congress had passed PL-93-495 which created a commission for Electronic Funds Transfer (EFT). The computer system used from 1973 through 1977 was known as the IBM Lucifer System. In 1977 the system was modified and re-named the Date Encryption Standard or DES.

It was logical to assume that IRS was using this system, and the 666, in the

processing of tax returns. Fearing this to be the unfolding of the Biblical prophecy of the beast 666 for'old of in the Book of Revelation 13:16-18; the brother Hansen rebelled against a system which was openly satanic in operation.

A series of written communications between the IRS and the brothers from 1975 through 1979. Irs had made tremendous fictional assessments against the brothers while failing to present any return as required by 26 U.S.C. 6020 (b)(1), nor was any evidence of such a return ever presented as evidence in the proceedings of this case.

In 1975 the brothers filed a fifth amendment return for the year 1974, and did likewise in 1976 for the year 1975.

In 1975 Linne' Hansen set up a family trust with the intent to preserve the ancestral homestead from inheritance taxes in the event of an untimely demise of either of the brothers. By this action ownership was believed to be relinquished in this real property. Since the family was not wealthy, and there were no funds available for the sale of this property, a life tennacy was retained by Linne' Hansen as payment in full. The befeficiaries of this trust were other family members. During the years 1974 and 1975, the trust was not the recipient of any wages earned by either of the brothers. The real estate taxes have always been paid by Larchwood Pure Trust.

On 15 March 1977 Laura M. Hansen, mother of Alan and Linne' Hansen quit claimed some real property to the trust for the consideration of a life tennancy and certain property rights; which also transferred as a right to heirship to her offspring. Included in this were also two friends of Laura's which are not family members. In 1979 Laura M. Hansen deceased and is interred in a family cemetery located on the ancestral homestead property on section 23, Town of Greenwood, Taylor County, Wisconsin.

During 1978, a delegate of the Secretary of the Treasury made assessments against Alan Hansen (Sept. 25 and Nov. 13) and against Linne' Hansen (Sept. 25 and Nov. 20).

In September of 1983 the government filed suit against the majority of the Hansen family while ignoring others who had an interest in the ancestral homestead property. Linne' Hansen, being unable to afford legal counsel, answered the complaint and counterclaimed. Alan Hansen was not aware that he was also required to sign the answer as a pro se litigant.

A status conference was held during November of 1983 which Alan and Linne' Hansen attended. the court noted that Alan had not answered the complaint, and that no other parties had been served. An amended answer and counterclaim was filed, which Alan signed. However he was not aware that permission of the court was required for leave to file

the amended answer.

Susan and Laura J. Hansen were served with process and they quickly answered and counterclaimed in early January 1984. The United States failed to answer the counterclaims of Susan and Laura within the specified time limit.

An order was issued in February of 1984 granting summary judgement against Linne' Hansen, even though he did not recieve income from the trucking company in which Alan Hansen was contracted to in 1974 and 1975.

An order to serve other parties, both residents of Illinois - Milton T. and Milton R. Hansen, was issued during April 1984. An order granting default

judgment against Alan Hansen was also issued at that time.

A status conference was held in July of 1984 regarding the appointment of a guardian ad litem for Susan and Laura Hansen. Susan is the adult wife of Alan and that matter was remedied on that date. Alan feared that since both Susan and Laura had a default counterclaim against the United States, there was no need for a guardian ad litem to be appointed to represent Laura's interest. A court appointed guardian ad litem may have moved to dismiss the counterclaim, or ignore it completely. Thus Alan opposed such appointment.

During November of 1984 the court

ordered a default judgment against Milton T. and Milton R. Hansen as they had failed to answer or defend themselves in the action. The court also mentioned that legal counsel must be retained to represent the Trust at the upcoming trial. However the court made no offer to appoint such counsel for the indigent parties who could not afford such representation.

A trial was held on 3 December 1984. In the order of 13 November the court stated that the counterclaim of Linne' Hansen would be tried by jury, however in a pre-trial hearing on 3 December, the court dismissed the counterclaim and refused a jury trial to Linne' Hansen. Linne' was prepared to present

the religious rights matter to a jury for its consideration. The premise being that government cannot violate a citizen's religious rights and then punish them for rebellion against the violation of a well-founded religious ethic.

The court went on to find in favor of the United States and then issued a Decree of Foreclosure on 21 December 1984. However the decree was errant in that it listed real property (section 26 Town of Greenwood) sold by the trust in 1975 to satisfy creditors, and re-sold since then to another party not joined in the suit. The only mention of this property was made in a 1967 deed which was used as evidence by the United States, which listed that property.

The Hansens appealed to the Court of Appeals for the Seventh Circuit in Chicago, Illinois, on January 2, 1985. During the trial of 3 December, Susan and Laura attempted to foreclose the default against the United States, however the court would not allow the matter to be heard. On 21 January 1985 the court dismissed the counterclaims which has been in default since March of 1984. Stating that a "taxpayer" must pay the tax and file a claim for a refund before a refund could be made. Although the United States had stated in a reply to an interrogotory and admission of fact to Laura and Susan that it "knows of no internal revenue statutes which have been violated" by them.

While under appeal, a notice of fore-

closure sale was published in the local newspaper in Medford, Wisconsin. Hansen appellants then made motion to the appellate court for an Injunction and Stay of Execution noting the Constructive Fraud perpetrated by the Decree of Foreclosure. The motion was denied as the United States opposed the motion as it had temporarily withdrawn the sale. The matter, at present, lies in limbo.

On 3 July the appellate court denied the appeal for lack of jurisdiction and refused to rule on the counterclaims of Susan and Laura, who, not being lawyers, had failed to file a second notice of appeal after the first notice of appeal which was filed "prematurely". On 23 July 1986 a Petition for Rehearing was denied.

A motion was filed in District Court for Relief from Judgment and to Dismiss the Action for violation of religious rights. The motion was denied by the court as "absurd" on 29 July 1986.

A notice of appeal to the Supreme Court was filed in the District Court and was dated 26 August 1986. The court treated the notice as an appeal to the Seventh Circuit Court of Appeals in Chicago, even though the notice was clearly stated as an appeal to the Supreme Court, and cited 28 U.S.C. Section 1252.

STAGE IN PROCEEDING WHERE QUESTION RAISED

QUESTION 1:

Raised in answer and counterclaim, 30 September 1983.

Passed on by the court: Ignored.

Appeal: Raised in original brief 6 February 1985.

Passed on by the court: Ignored.

QUESTION 2:

Raised in answer and counterclaim, 30 September 1983.

Passed on by the court: 21 January 1985 dismissed as failing to state a claim where relief can be granted.

Appeal: Raised in original brief 6 February 1985.

Passed on by the Court: Reference was

made that it was just "apparent frivolousness", 3 July 1986.

QUESTION 3:

Same facts as stated in reply to Question 2.

QUESTION 4:

Raised in Motion For Relief from Judgment and to Vacate Order, 9 July 1986 in District Court.

Passed on by the Court: Not a "new matter", denied 29 July 1986.

QUESTION 5:

Raised in brief of December 1983.

Passed on by the Court: Denied by footnote in order of 27 February 1984.

QUESTION 6:

Raised in answer and counterclaim of 30 september 1983.

Passed on by the Court: Ignored, until 29 July 1986 then it was "absurd".

Appeal: Raised in original brief 6 February 1985.

Passed on by the Court: Ignored.

QUESTION 7:

Raised in original brief to Appeals Court 6 February 1985.

Passed on by the Court: Ignored.

WHY THESE QUESTIONS ARE SUBSTANTIAL

The federal government has become involved with the secular business world in the realm of new technology. In its zeal to keep abreast of the trends, the federal government has become involved in a matter of religious contaversy by the use of the symbol 666, and its use of the IBM Lucifer System. This has

already caused great unrest among the Christian community in America. Such activity by the federal government not only violates the establishment clause, but breeds distrust and animosity for the federal government who is supposed to serve the citizens.

2:

In the last 15 years the federal government has set upon a course of events which constitutes domestic terrorism as against the citizenry. The federal court system was instituted to serve justice, not support injustice. The very basics of Christianity is the family and the home. When government sanctions the attack against the home and family of Christian citizens who, out of religious

conscience, must rebel against a system which may lead to eternal perdition; that is a most odious situation. The federal government must take care so as not to sow the seeds of violence which is so prevelant these days, certainly a respect of religious rights should be foremost in the minds of the people in government today.

3:

Innocent third-parties must be assured that they have the protection of their government, who will always rise to the defense of the rights of all citizens, not just the ones whom they like. Constiutional rights, and religious rights especially, must be protected and respected, not violated as a means of collecting revenue.

4:

In this case the Court repeatedly showed leniency towards the United States, while slamming defendants whenever a breach of the civil rules of procedure occurred on their behalf. Throughout this case the rules were applied discretionally towards the government, and exactly to the letter towards the defendants. This Court must make a statement of approval or disapproval of such arbitrary justice.

5:

Either the statutory time limit of six years applies, or it does not. As with the time limits imposed by the rules of civil procedure, a citizen should not have to wait for years to defend him or herself in a matter that has grown dim with time.

6:

Religious rights and conscience are not matters that may be dealt with by capricious means of the judiciary, or any other of the various agencies of the federal government. The Supreme Court has repeatedly held that the realm of religious conscience is a land where government must not tread.

7:

When government and the judiciary deals unjustly and capriciously with a citizen, that sows the seeds of distrust and discontent. More and more there is a trend by the federal government to constrain the rights of the citizenry under the guise of maintaining civil order. When there is such blatant abuse of judicial discretion, such as in

this case here; someone must take the reins and say - "Behave yourself"! The right to due process is not a discretionary right.

Dated this 27th day of September, 1986.
Re-submitted on this 20th day of
October, 1986.

Citizens Pro Se

Linne' L. Hansen

LINNE' L. HANSEN

Susan G. Hansen

SUSAN G. HANSEN

Alan A. Hansen

LAURA J. HANSEN, by
her corporal father
and Next Friend,
ALAN A. HANSEN

W 2856 Tower Ave.
Medford, WI 54451
715/ 427-3240

STATE OF WISCONSIN)
) ss.
County of Taylor)

THE UNDERSIGNED AFFIANT declares that in 1974 and 1975, he was not employed by Sawyer Transport, and that he didn't recieve any final settlement or wages from Sawyer Transport, nor did that company ever issue him any tax earning statement for those years. All final settlements were paid to Alan Hansen only.

That Alan Hansen did not quit claim "a parcel of real property to the trust as well", as stated by the court on 3 December 1984. Alan Hansen quit claimed his interest in the ancestral homestead property to the undersigned affiant as is recorded by the Abstract of Title of said real property as entry # 19 and

records this transaction as Document No. 189711, filed in Vol. 151 of Deeds on page 574.

Dated this 17th day of October, 1986.

Linne L. Hansen
LINNE' L. HANSEN

Personally came before me the above signed affiant, known to me to be the same who acknowledged and signed this document.

William A. Weiland
NOTARY PUBLIC

My Commission expires:

4/15/90

STATE OF WISCONSIN)
) ss.
County of Taylor)

AFFIDAVIT OF SERVICE

THE UNDERSIGNED affiant hereby declares that three copies of this JURISDICTIONAL STATEMENT has been mailed, on the 20th day of October, 1986, certified mail, return reciept requested; to the Solicitor General, Department of Justice, Washington, D.C. 20530, and the Commissioner of Internal Revenue, Washington, D.C. 20530 as per Rule 28 (c) of the Rules of the Supreme Court of the United States. To the best of affiant's knowledge, no court has certified to the Attorney General that 26 U.S.C. SECTION 6321 has been drawn into question.

AFFIDAVIT OF SERVICE

Dated this 17th day of October, 1986.

Linne' L. Hansen

LINNE' L. HANSEN

Personally came before me the undersigned affiant, known to me to be the same who signed and acknowledged this document.

William A. Weiland

NOTARY PUBLIC

My Commission expires: 4/15/90

AFFIDAVIT OF SERVICE